

REMARKS

Claims 1-25 are pending in the above-identified application. Claims 1-25 were rejected. With this Amendment, claims 1- 5, 12-16 and 24 are amended and claims 26 and 27 are new. Accordingly, claims 1-27 are at issue.

I. 35 U.S.C. § 112 Indefiniteness Rejection of Claims

Claims 1-25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant disagree but have amended the claims in a way to render the rejections moot.

II. 35 U.S.C. § 102 Anticipation Rejection of Claims

Claims 1, 2, 9, 10, 12, 13, 20 and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tamura (U.S. Publication No. 2002-0168572). Applicant respectfully traverses this rejection.

In relevant part, each of claims 1, 2, 12 and 13 recites:

“at an interface between said active material layer and said current collector they are alloyed together.”

This is clearly unlike Tamura which fails to disclose current collector material alloyed with active material layer. Instead, Tamura discloses using the surface roughness of the current collector to improve adhesion between the current collector and active material layer and “thus prevent separation of the active material layer during a charge-discharge reaction.” (See, Tamura col. 2, para. 0020). Consequently, Tamura discloses using surface roughness to prevent separation of the current collector from the active material layer, whereas Applicant discloses

alloying the current collector to the active material layer to prevent separation of the two surfaces.

Therefore, because Tamura fails to disclose, or even fairly suggest, every feature of claims 1, 2, 12 and 13, the rejection is improper. All other claims are either directly or indirectly dependant on claims 1, 2, 12 and 13 and are therefore patentable for the same reasons.

III. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 3-8, 11, 14-19 and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by or under 35 U.S.C. 103(a) as being unpatentable over Tamura (U.S. Publication No. 2002-0168572 as applied to claims 2 and 13. Applicant respectfully traverses this rejection.

Claims 3-8, 11, 14-19 and 22 are patentable because they depend directly or indirectly from patentable claims 1, 2, 12 and 13 set forth above.

Claims 23-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Tamura (U.S. Publication No. 2002-0168572 as applied to claim 13 and in view of Morishima (U.S. Publication No. 2003-0054253). Applicant respectfully traverses this rejection.

Claims 23-25 are patentable because they depend directly or indirectly from patentable claims 1, 2, 12 and 13 set forth above.

IV. Conclusion

In view of the above amendments and remarks, Applicant submits that all claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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